

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE
55 PLEASANT STREET, ROOM 110
CONCORD, NEW HAMPSHIRE 03301-3941

OFFICE OF THE CLERK

James R. Starr, Clerk of Court
Daniel J. Lynch, Chief Deputy Clerk

Telephone: 603-225-1423
Web: www.nhd.uscourts.gov

November 17, 2010

New Hampshire State Prison
PO Box 14
Concord, NH 03301
Inmate: Gregory W. Floyd (#8656)

Re: Kenney v. Floyd, et al., 10-cv-181-PB

Dear Mr. Floyd:

I am writing in response to your letter received on November 17, 2010, in which you seek guidance on how to file a motion to extend time to file an answer to the complaint in the above-captioned case. In the alternative, you ask that the clerk's office treat your letter as a motion to extend time to answer.

Unfortunately, I cannot provide the assistance you request nor can the clerk's office file your letter as a motion to extend time to answer. As I outlined in my letter to you dated September 21, 2010, as a pro se litigant you are required to follow the Federal Rules of Civil Procedure, the court's local rules and applicable case law. To assist you in that regard, I previously provided you with a Pro Se Litigant Guide.

Our local rules require that all requests for judicial action in this district, which includes a motion to extend deadlines, must be made by formal pleading, contain the legal and factual basis supporting the relief requested, and may not be made in letter format. Fed. R. Crim. P. 47; LR 7.1(a); LR 77.6. Thus, you must make your request to extend the answer deadline in motion format and not by letter request. As a result, your letter will not be presented to a judicial officer for ruling.

Finally, for your information, the Pro Se Guide includes guidance regarding motion format that may be of assistance to you in the future.

Sincerely,



Daniel J. Lynch
Chief Deputy Clerk

DJL/